City Newspaper

Volume 18, number 41
June 29, 1989

Commentary

Topfree, 1989

As they have every June since 1986, a group of women staged a protest in a Monroe County park last Saturday by taking off their shirts in public. And as in 1986, they were arrested for violating the state law they were protesting, which prevents women from baring their breasts in public.

The protestors say that the law discriminates against women. They're absolutely right. It's perfectly legal for men to go without shirts, but it's illegal for women to do so—except in two circumstances. Women can bare their breasts in public if they're breastfeeding, or if they're performing—in a strip-tease act, for example.

What the law is doing is reflecting society's unfortunate attitude toward women: They can be mothers, and they can be erotic sex objects. But they can not do what men can do: get hot and sweaty and take off their shirts.

That same attitude is at the root of a variety of offenses against women, including sexual harassment in offices and public places, and rape. Thus the women's annual protest, and their concern, is serious, not trivial.

District Attorney Howard Relin, whose office will prosecute the new case, says he's suggested in the past that the women pursue their cause through the state legislature by trying to get the law changed. In most cases, that's the logical route. But there's not a bat's chance the New York State Legislature will change this law in the foreseeable future. When the discrimination is real and serious, seeking redress through the courts is perfectly legitimate.